



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Approval of Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$177,660.19).

MEETING DATE: August 16, 2006 City Council Meeting

PREPARED BY: City Attorney's Office

RECOMMENDED ACTION: That the City Council approve for payment expenses incurred by outside Counsel/Consultants related to the Environmental Abatement Litigation in the total amount of \$171,560.85, and Various other cases being held by Outside Counsel in the amount of \$6,099.34.

BACKGROUND INFORMATION: Listed below are invoices from the City's outside counsel, Folger, Levin & Kahn; Kronick, Moskovitz, Tiedemann & Girard; and JAMS Mediation Service, for services incurred relative to the Environmental Abatement Program litigation, and various other matters that are currently outstanding and need to be considered for payment.

Folger Levin & Kahn - Invoices Distribution

Water Acct.

Matter No.	Invoice No.	Date	Description	Total Amount
8001	96372	06/30/06	General Advice/Envir. Issues	\$470.00
8002	96378	6/30/2006	People v M&P Investments	58,208.16 (2,935.00)
8003	96377	6/30/2006	Hartford Insurance Coverage Litigat	106,965.13 (900.00)
8008	96373	6/30/2006	City of Lodi v. Envision Law Group	5,742.30
	13486	6/30/2006	Keith O'Brien/PES Environmental, In	1,012.50
	6235	5/31/2006	Peter Krasnoff, West Envir. Service	2,440.00
				<u>171,003.09</u>

Kronick Moskovitz Tiedemann & Girard - Invoices Distribution

Matter No.	Invoice No.	Date	Description	Total Amount	Distribution	
					100351.732	Water Acct.
11233.027	226714	07/25/06	Citizens for Open Govt.v.Col	2,647.88	2,647.88	
11233.029	226714	07/25/06	AT&T v. City of Lodi	281.55	281.55	
11233.031	226714	07/25/06	Line of Credit Opinion 2006	3,169.91	3,169.91	
				<u>6,099.34</u>	<u>6,099.34</u>	-

APPROVED:


Blair King, City Manager

JAMS

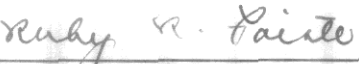
			<u>Distribution/Water Account</u>
1170617-110	6/30/2006	JAMS Mediation Service	\$ 359.87
1180071-110	7/31/2006	JAMS Mediation Service	\$ 197.89
			\$ 557.76

FISCAL IMPACT: Expenses in the amount of \$6,099.34 will be paid out of the General Fund with \$2,647.88 of that amount billed to Walmart for City's defense of the Citizens for Open Government litigation. The remaining expenses will be paid out of the Water Fund.

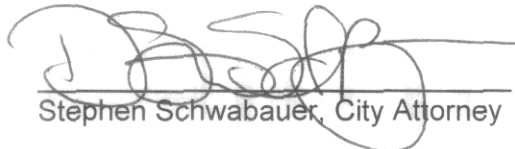
FUNDING AVAILABLE: Water Fund \$171,560.85
General Fund \$ 6,099.34

Approved:

Approved:



Ruby Paiste, Financial Services Manager



Stephen Schwabauer, City Attorney